

From: <rainmac@sonic.net>
To: <tryan@ci.sunnyvale.ca.us>
Date: 10/11/2004 4:49:15 PM

ATTACHMENT A
Page 1 of 1

Ms. Ryan,

In preparation for presenting my issues before the City Council, I need to provide you with materials. Most you already have. The materials are:

1. My original complaint addressed to the City Manager.
 2. Your response that you mailed to me.
 3. The report for the Nicoli/Sargent project that is available for viewing online at <http://sunnyvale.ca.gov/200105/rts/01-167.asp>. This is considered the final report, isn't it?
 4. My request for clarification to your response (item #2) that I emailed to you on September 20, 2004.
 5. The response to my request for clarification that I have yet to receive. I trust I will receive this in a timely manner, ie at least a week before my presentation to the City Council.
 6. A summary of a neighborhood survey I conducted to obtain the opinions of Washington Avenue residents/property owners regarding the condo development, plus copies of the surveys themselves.
 7. [optional?] The Community Design Sub-Element GOALS, POLICIES AND ACTION STATEMENTS,
<http://sunnyvale.ca.gov/Departments/Community+Development/General+Plan/2/2.5.htm>
- Do I presume that the information covered in this document is common knowledge to the Council members? If not, better have it available.

The only materials you don't yet have are the surveys and survey summary. I will provide these later this week. If I need to provide copies of any other of the aforementioned materials, please let me know.

Can I get this package of materials as it will be presented to the Councilmembers ahead of time to make sure it's complete?

You also wanted to know exactly what I would be requesting of the City Council. They are the same requests I made in my original complaint.

1. Reduce window sizes and placement where overlooking the single-family neighborhood.
2. Construct a 15-foot high masonry fence like one that exists at Bristol Commons just a few blocks away.
3. Densely plant 40-foot tall mature trees between the development and the neighborhood.

Thank you,
Mitchell Diamond

ATTACHMENT B

**INFORMATION PACKET FROM MITCHELL
DIAMAONT, DATED 08/05/04**

Impact of the Nicoli/Sargent Condominium Development on the Adjacent Single-Family Residences

By Mitchell Diamond
441 East Washington Avenue, Sunnyvale
August 5, 2004

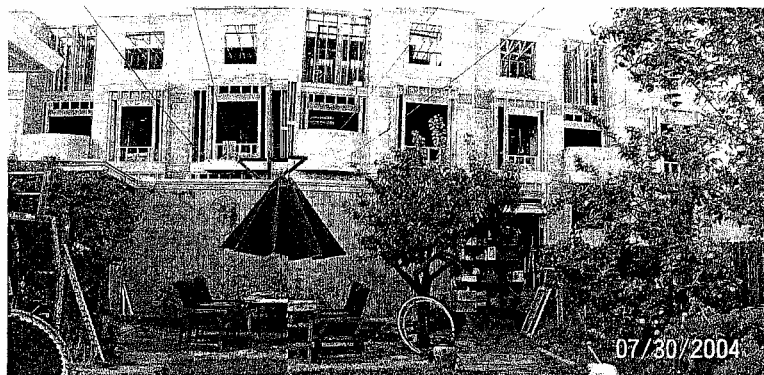


Figure 1 Spliced view of the development from the rear porch of my home.

Situation

On the 400 block of East Evelyn Avenue in Sunnyvale, a three and one-half story condominium development is under construction. Known as the Nicoli/Sargent condo development, this project reflects the worst example of civic malfeasance driven by the influence of the developer's almighty dollar. According to several people in the Planning Department, the Nicoli development represents the only project of its size built so closely to a single-family neighborhood in the city of Sunnyvale.

To allow this development to be built, the Sunnyvale Planning Department ignored or overlooked a plethora of the Sunnyvale Community Design Element's policies and guidelines in order to squeeze as large a development as possible into a totally inadequate and inappropriate space. The planning department recognized that the development conflicted with the city's goals, but temporarily changed the rules on the fly to achieve permit approval for the project.

Furthermore, several conditions for the development's permit approval were required by both the Sunnyvale City Council and Planning Commission and were also ignored, particularly regarding privacy mitigation for the single-family neighborhood adjacent to the south side of the project.

Downtown Specific Plan

Following are selected policies and guidelines from Sunnyvale's Downtown Specific Plan. These selections are also representative of the city's Community Design Sub-Element of the General Plan, excerpts of which follow at the end of this report.

The Goals and Policies of the Specific plan create the basic priorities for implementing the downtown vision...

- Protect and enhance existing neighborhoods.

D.1. Buffer single family neighborhoods from higher density residential or commercial uses through the use of lower building heights and privacy measures such as increased landscaping and reduction in windows along elevations that directly face single family properties.

D.3. Encourage intensification of specified high-density residential and commercial districts while maintaining the character and density of single family neighborhoods surrounding the downtown.

Building Facades:

- Use variable heights and roof forms to break up the building mass. Do not present a uniform block of building built to the maximum height limit.

City Council Report

Required developer actions for the Nicoli project based on directives from the City Council (excerpts from <http://sunnyvale.ca.gov/200105/rctcs/01-167.asp>):

"The Commission action also required modification to the project to further address privacy issues. The Commission action offered three alternative design change options to the applicant: (1) Redesign the project to meet the required 20 foot rear yard building setback; (2) Reverse the window placement of the courtyard with the rear (south) side of the building and maintain a minimum 18 foot rear yard setback; (3) maintain an 18 foot rear yard setback and provide enhanced (large tree) landscaping along the rear yard."

Ignored/violated. In the spring of 2004, three years after the development received approval, I visited with the project planner, Fred Bell, and looked at the existing landscape design. There was landscaping but none that fulfilled the enhanced landscape mitigation as required. None of the other options have been implemented.

"As noted earlier in this report, the project site is bordered on two sides with single family residential uses. In order to assist screening of the proposed building and to enhance privacy issues, **screening landscaping techniques will be employed along these property lines.** Condition of Approval No 7 requires coordination of the landscape plan with the City Arborist to ensure maximum practicable use of screening landscape in these areas."

Ignored/violated. I spoke with Leonard Dunn of the Arborist Office earlier this year. He said this requirement was never fulfilled.

"Single-family homes are located along the rear property line...The proposed structure is large, reaching a height of 43 feet. Staff has noted concern with potential privacy issues with multi-story windows overlooking existing back yards. The applicant has worked to reduce the size of windows overlooking properties to the rear and side. Due to the R-3 (Medium Density Residential) designation of these adjacent properties, future transition to multiple family residential at a density similar to the proposed project may occur."

Ignored/violated. No apparent window reduction has taken place (see Figure 1 photo) and compare to window sizes on the Evelyn Street side.

"The proposed project will be constructed of a type and at a scale similar to multiple family development in proximity to the project. However, adjacent property is currently occupied by single family residential use which is not compatible with the bulk and scale of the project. These single family uses under-utilize their existing multiple family zoning. Future transition of these properties may occur."

C1 Maintain diversity and individuality in style but be compatible with the character of the neighborhood.	The proposed project will be constructed of a type and at a scale similar to multiple family development in proximity to the project. However, adjacent property is currently occupied by single family residential use which is not compatible with the bulk and scale of the project. These single family uses under-utilize their existing multiple family zoning. Future transition of these properties may occur.
--	--

Future transition to multiple family density is repeated several times. The planners have changed the rules on the fly to circumvent the recognized problems. This strategy is a convenient fabrication in conflict with the city's stated guidelines and policies. (See the Policies and Guidelines section at the end of this report). Nowhere in the Sunnyvale Downtown Specific Plan or the city's Community Design Sub-element of the General Plan does it allude to this notion about *future transition* being the basis of planning policy.

“The proposed project offers additional multi-family home ownership opportunities while providing a density and building mass transition from adjoining R-3 properties to higher density uses in the Specific Plan.”

In fact, zoning of adjoining R-3 properties has changed to lower R-2 density—why existing rules and guidelines should be followed rather than making them up spontaneously.

“Each of the deviations...have been discussed in the Special Development Permit section of this report. As the project plan evolved through several iterations, the applicant has modified the plan increasing setbacks, improving privacy to adjacent properties, adding architectural details and enhancing useable open space. Due, in part, to the unusual configuration of the site, deviations for front and rear yard setbacks remain. In addition, the project does not meet the required separation between buildings. “

“Staff believes that the deviations are justified in that they allow reasonable development of the site with a high quality multiple family project that includes enhanced architectural detail consistent with the Downtown Specific Plan. The proposed project offers additional multi-family home ownership opportunities while providing a density and building mass transition from adjoining R-3 properties to higher density uses in the Specific Plan. “

Any mitigation design is minimal, insignificant and unimplemented anyway. In several ways the Nicolli development is inconsistent with the DSP.

Balancing New Development versus Established Communities

The city has worthwhile goals to provide more housing and to create a robust downtown, but those goals must be tempered by the needs of the existing residential neighborhoods. From the city General Plan:

A.1.a. The City will review its General Plan to facilitate the creation of additional housing units and in doing such review, address the need to balance single family versus apartment and townhouse development.

A.1.b. The City will review the capacity of the infrastructure to accommodate any increase in housing intensity.

A.1.e. The City should consider allowing and encouraging residential densities higher than 45 units per acre, in certain areas of the City, *where appropriate* (my italics).

A.1.g. The City should continue efforts to balance the need for additional housing with other community values, such as: preserving the character of established neighborhoods, high quality design, and promoting a sense of identity in each neighborhood.

A.1.i. The City should promote the concept of open space and landscaping in the use and allowances of density and buildings, to preserve the quality of the City neighborhoods.

Conclusion

The DSP acknowledges the difficulties the downtown revamping will have on the neighborhoods.

"The vision for these districts can be quite different than the existing neighborhood character. There will be transition periods where new development is in conformance with the future character of the district but not compatible with surrounding development. This Specific Plan acknowledges that there will be some transitional incompatibilities during the course of development and that this is necessary in order to realize the future vision for the downtown."

However, this is not a justification for the *future transition to higher density* approach the Planning Department has taken. This would only make sense if the single-family residences impacted by the development were within the downtown specific plan area, which they are not. The city has delineated several ways to mitigate the impact of the downtown development on the neighborhoods, and there is no excuse for ignoring them other than laziness and arrogance.

The Planning Department clearly considers the City's Design Policies and Guidelines as they reference several of them in their report (quoted above). But in their zeal to gain permit approval for the Nicoli development, they contrived a reinterpretation of the policies and guidelines and ignored those that forced them to limit the scope of the development.

Are the city's policies and guidelines just nice words that are only referenced when convenient or is the city supposed to make every effort to follow them? Is there any accountability in the city when there is a renegade department whose actions are inconsistent with the city's stated policy? Are there consequences when city employees disregard required dictates by the City Council and Planning Commission?

The Planning Department went to extreme lengths and bent the rules to gain permit approval for the Nicoli development. I ask the city to go to equally extreme lengths and bend the rules to mitigate the overwhelming impact the development has on the adjacent single-family neighborhood. Those steps include:

1. Reduce window sizes and placement where overlooking the single-family neighborhood.
2. Construct a 15-foot high masonry fence like one that exists at Bristol Commons just a few blocks away.
3. Densely plant 40-foot tall mature trees between the development and the neighborhood.

Sunnyvale General Plan

The following excerpts from Community Design and Housing And Community Revitalization Sub-Elements of the city's General Plan reinforce the deviations between what should have happened and what did happen.

<http://sunnyvale.ca.gov/Departments/Community+Development/General+Plan/2/2.5.htm>

Policy 2.5A.2 Ensure that new development is compatible with the character of special districts and residential neighborhoods.

2.5A.2a. Maintain design guidelines and policies for new construction in historic districts, which define acceptable building styles, shapes, rooflines, colors, materials, fenestration and setbacks and develop new guidelines as needed.

2.5A.2b. Continue to maintain and develop zoning standards, which preserve the quality of residential neighborhoods.

2.5A.2c. Continue to encourage infill development or redevelopment which is compatible with the use, density, setbacks, height and, where possible, the predominant building style and size of the surrounding district or neighborhood.

2.5A.2d. Continue to identify and adopt methods of preserving historic resources and special districts.

Policy 2.5A.3 Support measures which enhance the identity of special districts and residential neighborhoods to create more variety in the physical environment.

2.5A.3a. Encourage diversity and develop programs to emphasize the unique features of special districts and neighborhoods.

2.5A.3e. Encourage new landmarks and features to distinguish districts and neighborhoods.

2.5A.3i. Maintain existing programs and study new programs which promote the maintenance and quality of residential neighborhoods.

Private Development

Goal 2.5C Ensure that buildings and related site improvements for private development are well designed and compatible with surrounding properties and districts.

Policy 2.5C.2 Review site plans to insure the design is compatible with the natural and surrounding built environment.

2.5C.2g. Consider studying areas where the street and building setback relationship could be improved.

2.5C.2h. Encourage new construction to be compatible with the open space characteristics between buildings in districts or neighborhoods.

2.5C.2i. Continue to require landscaped buffers on commercial or residential properties which provide adequate protection for adjoining residential properties.

2.5C.5c. Avoid buildings which do not have a similar scale or height as surrounding properties, except at gateways or for landmark structures.

2.5C.5f. Encourage new construction to be designed so that it minimizes the impact on the privacy of adjoining residential properties.

2/5C.5g. Avoid tall buildings which substantially shade adjoining residential properties.

2.5C.5h. Continue to require additional setbacks for new construction when necessary to preserve the light, air, views and privacy of adjoining residential properties.

Policy B.4. Ensure that new development and rehabilitation efforts promote quality design and harmonize with existing neighborhood surroundings.

B.4.a. The City should continue architectural and site review of private and public development to ensure that the design is sensitive to and compatible with existing neighborhood surroundings.

B.4.b. The City should study and propose design solutions to mitigate the effects of a combination of uses or a combination of uses of different intensities.

SITE DESIGN

New development shall adhere to the character of the existing neighborhood and be integrated into the surrounding development. New development shall not dominate or interfere with the established character of its neighborhood. Site design of projects shall be cohesive both functionally and visually.

SETTING

A1. New projects shall be compatible with their surrounding development in intensity, setbacks, building forms, material, color, and landscaping.

A3. Develop transition between projects with different uses and intensities to provide a cohesive visual and functional shift. Create transition by using appropriate setbacks, gradual building height, bulk, and landscaping.

BUILDING DESIGN

Buildings shall enhance the neighborhood and be harmonious in character, style, scale, color and materials with existing buildings in the neighborhood.

SCALE AND CHARACTER

B1. Break up large buildings into groups of smaller segments whenever possible, to appear smaller in mass and bulk.

B2. Adjacent buildings shall be compatible in height and scale.

B3. Buildings and additions shall not shade more than 10% of the structures or open space areas on adjacent properties for proper solar access.

B4. Buildings shall maintain similar horizontal and vertical proportions with the adjacent facades to maintain architectural unity.

B5. Step back upper stories of building 3 stories or taller from public roads and adjacent low scale development to reduce the bulk impact.

B6. Maintain the dominant existing scale of an area. Second story additions in a predominantly one story residential neighborhood should appear as one story.

B7. Placement of windows and openings on second story additions shall not create a direct line of sight into the living space or the back yard of adjacent properties to maintain privacy.

ARCHITECTURE AND DESIGN

C1. Maintain diversity and individuality in style but be compatible with the character of the neighborhood.

C2. In areas where no prevailing architectural style exist, maintain the general neighborhood character by the use of similar scale, forms, and materials providing that it enhances the neighborhood.

C18. Consider privacy in placement of windows on adjacent structures in residential areas. Stagger windows, use high, frosted, or no windows where privacy is a concern.

C19. Orient primary living areas in residential buildings toward private open space and views.

ATTACHMENT C

**LETTER FROM PLANNING OFFICER TO
MR. DIAMOND MITCHELL, DATED
08/31/04**



ATTACHMENT C

Page 1 of 2

August 31, 2004

Mitchell L. Diamond
441 E. Washington Avenue
Sunnyvale, CA 94086

Subject: Clarification of landscape and wall related issues between adjoining properties located at 414 E. Evelyn Avenue and 441 E. Washington Avenue.

Dear Mr. Diamond;

This correspondence is offered as a follow-up to your conversation with the City Manager regarding your concerns related to landscaping and wall construction as part of the residential project adjoining your property.

As you know, the final landscape plan for the neighboring project is under development. As of last week, the City Arborist reviewed the latest plant palette and recommended some modifications. Staff will be meeting with the project proponent on these changes this week. The ultimate species selection will be constrained by the width of the planting area and the need to ensure adequate space for healthy growth. Similarly, access and root ball size may limit the overall size and height of the trees at the time of installation. Be assured that the final plan will respond to the approved concept plan incorporating tall evergreen screening plantings. As a courtesy, Planning Staff will call you when the landscape plan is finalized so that you may review the plan at your convenience.

The wall located along the southern boundary of the Bristol Commons project located at 730 E. Evelyn Avenue was also discussed. Staff research has determined that the original wall was installed in approximately 1988 at a height of eight feet. A Building Permit for a four foot "lattice" extension to the wall was issued in August of 2000. Because of grade differences between properties the wall appears as five feet on the single-family home side plus the four foot extension for a total height of nine feet. The wall proposed for the residential project adjoining your property will be eight feet in height on both sides of the wall. An extension to the wall has not been discussed and, according to Building and Safety Staff, the initial wall installation should make accommodation for possible future extensions, if such extension is desired. Since the wall in question has not been installed, Planning Staff will consult with the project proponent to determine the viability of engineering the wall to accommodate a future height extension. It is important to keep in mind, however, that the type, size and location of a possible extension to the wall behind your property needs to be carefully considered as it may impact your neighbors property as well. Similarly, since the original project approval did not specify the height of the

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TDD (408) 730-7501

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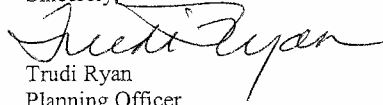
ATTACHMENT C

Page 2 of 2

wall, staff will need to weigh the value of keeping the option open for a possible future extension to the wall against additional costs to the applicant.

I hope the information provided in this correspondence is helpful. As noted above, I will have Fred Bell, Principal Planner call you regarding review of the final landscape plan as soon as it is available. Should you have further questions, please feel free to call me or Fred Bell at (408) 730-7440.

Sincerely,


Trudi Ryan
Planning Officer

cc City Manager
Community Development Director

ATTACHMENT D

**E-MAIL MESSAGE (CLARIFICATION OF
CITY'S PLANNING GUIDELINES) FROM
MR. DIAMOND, DATED 09/20/04**

ATTACHMENT 2Page 1 of 1

From: <rainmac@sonic.net>
To: <tryan@ci.sunnyvale.ca.us>
Date: 9/20/2004 10:34:55 PM
Subject: Clarification on City's planning guidelines

Dear Ms. Ryan,

In a report to City Manager Chan dated August 5, 2004, I took the Sunnyvale Planning Department to task for what I perceived were various failures in its procedures and interpretations regarding the Nicoli/Sargent condominium development. However, this whole planning business is new to me, and there are some statements I've made that are perhaps overly rash and based on my own prejudices rather than on city policy.

I would appreciate if you would request one of your staff to describe to me or point me to the Sunnyvale-published policies and guidelines that elucidate the concept of "future transition to multiple family density" that was used several times in the May 15, 2001 final report to overcome the concerns raised by the planning staff and justify granting a permit to the developer.

Also, in your response to my above-mentioned report, you described the discussion taking place regarding finalizing landscape mitigation to provide privacy to the adjoining neighbors. In that response you intimated that the scope of the landscape mitigation might be limited by the area available for supporting the trees' growth and by the cost to the developer of the large landscaping requirement.

Quoting from Sunnyvale's Downtown Specific Plan: "D.1. Buffer single family neighborhoods from higher density residential or commercial uses through the use of lower building heights and privacy measures such as increased landscaping and reduction in windows along elevations that directly face single family properties." Please also ask your staff to show me or cite where the City's policies and guidelines say that these considerations are to be metered or compromised if the cost of implementation is too great or is difficult to implement due to inadequate design.

Thank you for your consideration.

Mitchell Diamond
441 E Washington Avenue

CC: <KMcGraw@ci.sunnyvale.ca.us>, <citymgr@ci.sunnyvale.ca.us>

ATTACHMENT E

**CITY COUNCIL MINUTES OF 05/15/01,
RELATING TO THE NICOLI/SARGENT
PROJECT AT 414 E. EVELYN AVENUE**

City of Sunnyvale
City Council minutes of May 15, 2001

Public Hearing

2. ORDINANCE
RTC 01-167

Applications for Related Proposals for a 27,000 square foot combined site project located at 414 E. Evelyn Avenue in a DSP-5 (Downtown Specific Plan Sub District 5) Zoning District John Nicoli/Patrick Sargent (Applicant) Joseph and Mary Conti (Trustee/Owner) – Continued from April 17, 2001

- a) Amend the Sunnyvale Downtown Specific Plan by expanding its boundary to include that part of the project site which is currently outside its boundary
- b) Rezone that portion of the project site from C-4 (Service Commercial) to DSP-5 (Downtown Specific Plan Sub-District)
- c) Special Development Permit to allow development of 18 condominium units
- d) Tentative Map for an 18 unit condominium project

Councilmember Roberts announced he would be abstaining from this item due to a conflict of interest.

Project Planner Bell presented the staff report.

Mayor Walker opened the public hearing at 7:59 p.m.

Dan Howard, Fisher Friedman Associates, Architecture Planning, commented on issues noted in the staff report page 5 which states: In response to action by the Planning Commission, the proposed project has been modified to incorporate the following changes: side and rear yard setbacks have been increased to 20 feet; distance between buildings have been increased; unit sizes have been reduced; window sizes have been reduced; landscaping and useable open space have been increased (by 2,000 square feet). He further stated that they have responded to the neighbor's and Planning Department's comments and that the project is correct for the location and urged Council approval.

Virginia Gauges, adjacent property owner, stated she routed a petition to neighbors and forwarded it to Council. She stated concerns with the noticing of the Planning Commission meeting, parking and traffic problems, obstruction of view and loss of privacy which may result if the project proceeds. She recommended reducing the number of units and limiting the development to two stories in height.

Steve Burk, neighborhood property owner, stated he did not receive a notice of the project. He has been a neighborhood resident for ten years and has concerns with the building height, parking, loss of privacy and would like to preserve the integrity of the old neighborhood.

Lisa Sato stated she loves the neighborhood of single family homes and feels the development will have a negative impact on the neighborhood.

Joseph Dipinor stated that he spoke at the Planning Commission hearing and felt his concerns were not taken seriously. He is concerned with the safety of the children in the neighborhood, increase in noise, traffic and lack of parking.

Mitchell Diamond stated he spoke at the Planning Commission hearing. He is concerned with traffic, visibility of vehicles exiting the development westbound, building height, and loss of privacy. He further stated that the project is not in continuity with the neighborhood, and feels his property value will decrease if the project is approved.

Laura Fulda stated she is a Sunnyvale resident and in favor of the project. She stated the developer builds nice projects with attractive landscaping, the project fits the building style of the downtown, and there is a need for more affordable housing in the city. She recommended planting larger trees around the project.

Jim Aguirre, property owner on Washington Avenue, stated he is in favor of the project, it looks great and will be an improvement to the neighborhood.

David Rivas, Lincoln Avenue resident, stated he was born and raised in Sunnyvale, is in favor of the project and the property is zoned for this type of development and homeownership opportunities are needed in the city. He recommended permit parking for the residents on Washington and feels that the development will increase property values and urged Council approval.

Noel Dietz, Washington Avenue resident, stated that she is not opposed to the development but would like it modified to fit the character of the existing neighborhood.

Tom Sweeney, Bayview property owner, stated the current use of the site is less than attractive, the development is to scale and quality of the downtown area and will enhance the neighborhood.

Dan Howard, Fisher Friedman Associates, project architect, stated that the planned building is not monolithic, density is only 62%, no heritage trees are located on site, will plant 16 gallon trees, landscape architecture has been modified, and agree to work with the City arborist regarding trees, and that the Applicant is willing to develop the vacant City owned parcel to relieve parking concerns.

Mayor Walker closed the public hearing at 9:14 p.m.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUNNYVALE
AMENDING THE PRECISE ZONING PLAN, ZONING DISTRICTS MAP, TO REZONE
CERTAIN PROPERTY LOCATED AT 414 E. EVELYN AVENUE FROM C-4 (SERVICE
COMMERCIAL) DISTRICT TO DSP-5 (DOWNTOWN SPECIFIC PLAN SUBDISTRICT
5) DISTRICT

Councilmember Vorreiter moved, and Councilmember Valerio seconded, introduction and first reading of the ordinance, to approve determination of surplus property and conveyance to adjacent property owner, adopt the Mitigated Negative Declaration, approve the Amendment to the Downtown Specific Plan and Rezone, approve the Special Development Permit and Tentative Map in accordance with conditions recommended by the Planning Commission, with the condition that the Applicant work with the City arborist to select appropriate size and species of landscaping to protect the privacy of the adjacent homeowners.

Mayor Walker offered a friendly amendment that the landscaping and irrigation plans of the exterior area of the development are reviewed by the neighbors.

Councilmember Vorreiter accepted the friendly amendment.

Councilmember Miller offered a friendly amendment that the CC&R's require the three bedroom units to have two parking spaces and one bedroom units have one parking space.

Councilmember Vorreiter did not accept the friendly amendment.

Councilmember Miller requested a substitute motion that the CC&R's require the three bedroom units to have two parking spaces and one bedroom units have one parking space. The substitute motion died for a lack of a second.

The main motion as amended carried by the following roll call vote:

Ayes:	Valerio, Vorreiter, Fowler, Walker, Risch
Noes:	Miller
Abstain:	Roberts
Absent:	None

ATTACHMENT F

**SURVEY OF WASHINGTON AVENUE
RESIDENTS, SUBMITTED BY
MR. DIAMOND**

Washington Ave Residents Survey

regarding the Nicoli/Sargent condo development

survey #	landscape height (ft)	fence height (ft)	financial benefit	primary address
1	The taller, the better	The taller, the better	n	
2	40	30	n	
3	40	30	n	
4	40	15	n	
5	25	15	n	928 W Iowa
6	45	35	n	
7	40	30	n	
8	40	12	n	
9	40	comment	500/month	480 Lincoln
10	40	30	n	
Ave	38.9	24.6		
Min	25	12		
Max	45	35		

Washington Avenue Residents Survey

Name Judy Reed

Washington Ave. address 428 E. Washington Ave

If this is not your primary residence, please enter it below.

Address _____

City _____

Regarding the Nicoli/Sargent condominium project under construction on the 400 block of East Evelyn:

1. What initial height would you like the screening landscaping between the condominiums and the Washington Ave. properties to be? (circle one)

15 ft 20 ft 25 ft 30 ft 35 ft 40 ft other _____ No preference

The taller, the better

2. What height would you like the masonry fence between the condominiums and the Washington Ave. properties to be? (circle one)

8 ft 12 ft 15 ft 20 ft 25 ft 30 ft other _____ No preference

The taller, the better

3. Have you benefited financially or gained income due to the development or construction of the Nicoli/Sargent condominium project? (circle one) Yes No
If yes, please explain

4. Do you favor or oppose making the 400 block of East Washington Ave. a permit parking block? (circle one)

Favor Oppose Not sure Depends on what happens No preference

Additional comments regarding the development, the developer and/or the City of Sunnyvale.

Signature Judy Reed

Date 9/23/01

Washington Avenue Residents SurveyName BOBBY TURNERWashington Ave. address 455 E. Washington Ave

If this is not your primary residence, please enter it below.

Address _____

City _____

Regarding the Nicoli/Sargent condominium project under construction on the 400 block of East Evelyn:

1. What initial height would you like the screening landscaping between the condominiums and the Washington Ave. properties to be? (circle one)

15 ft 20 ft 25 ft 30 ft 35 ft 40 ft other ____ No preference

2. What height would you like the masonry fence between the condominiums and the Washington Ave. properties to be? (circle one)

8 ft 12 ft 15 ft 20 ft 25 ft 30 ft other ____ No preference3. Have you benefited financially or gained income due to the development or construction of the Nicoli/Sargent condominium project? (circle one) Yes No
If yes, please explain

4. Do you favor or oppose making the 400 block of East Washington Ave. a permit parking block? (circle one)

Favor ☐ Oppose ☐ Not sure ☐ Depends on what happens ☐ No preference ☐

Additional comments regarding the development, the developer and/or the City of Sunnyvale.

Signature Bobby TurnerDate 9-2-04

Washington Avenue Residents Survey

Name Ann + Harrison

Washington Ave. address 433 E. Washington

If this is not your primary residence, please enter it below.

Address _____

City _____

Regarding the Nicolli/Sargent condominium project under construction on the 400 block of East Evelyn:

1. What initial height would you like the screening landscaping between the condominiums and the Washington Ave. properties to be? (circle one)

15 ft 20 ft 25 ft 30 ft 35 ft 40 ft other _____ No preference

2. What height would you like the masonry fence between the condominiums and the Washington Ave. properties to be? (circle one)

8 ft 12 ft 15 ft 20 ft 25 ft 30 ft other _____ No preference

3. Have you benefited financially or gained income due to the development or construction of the Nicolli/Sargent condominium project? (circle one) Yes No
If yes, please explain

4. Do you favor or oppose making the 400 block of East Washington Ave. a permit parking block? (circle one)

Favor Oppose Not sure Depends on what happens No preference

Additional comments regarding the development, the developer and/or the City of Sunnyvale.

Signature Ann + Harrison

Date 9/14/04

Washington Avenue Residents Survey

Name Geraldine Medina
Washington Ave. address 421 E. Washington Ave

If this is not your primary residence, please enter it below.

Address _____

City _____

Regarding the Nicoli/Sargent condominium project under construction on the 400 block of East Evelyn:

1. What initial height would you like the screening landscaping between the condominiums and the Washington Ave. properties to be? (circle one)

15 ft 20 ft 25 ft 30 ft 35 ft 40 ft other _____ No preference

2. What height would you like the masonry fence between the condominiums and the Washington Ave. properties to be? (circle one)

8 ft 12 ft 15 ft 20 ft 25 ft 30 ft other _____ No preference

3. Have you benefited financially or gained income due to the development or construction of the Nicoli/Sargent condominium project? (circle one) Yes No
If yes, please explain

4. Do you favor or oppose making the 400 block of East Washington Ave. a permit parking block? (circle one)

Favor Oppose Not sure Depends on what happens No preference

Additional comments regarding the development, the developer and/or the City of Sunnyvale.

*Since the day this has begun it has
\$ will be an inconvenience to
our families & homes*

Signature Geraldine Medina

Date 9/15/04

Washington Avenue Residents Survey

Name Margaret Medina

Washington Ave. address ~~421~~ 421 E Wash St.

If this is not your primary residence, please enter it below.

Address 928 W. Iowa Ave

City Sunnyvale CA.

Regarding the Nicolli/Sargent condominium project under construction on the 400 block of East Evelyn:

1. What initial height would you like the screening landscaping between the condominiums and the Washington Ave. properties to be? (circle one)

15 ft 20 ft 25 ft 30 ft 35 ft 40 ft other ____ No preference

2. What height would you like the masonry fence between the condominiums and the Washington Ave. properties to be? (circle one)

8 ft 12 ft 15 ft 20 ft 25 ft 30 ft other ____ No preference

3. Have you benefited financially or gained income due to the development or construction of the Nicolli/Sargent condominium project? (circle one) Yes No

If yes, please explain

4. Do you favor or oppose making the 400 block of East Washington Ave. a permit parking block? (circle one)

Favor Oppose Not sure Depends on what happens No preference

Additional comments regarding the development, the developer and/or the City of Sunnyvale.

Signature Margaret Medina

Date Sept 14/04

Washington Avenue Residents Survey

Name Tim Palmer

Washington Ave. address 450 E. WASHINGTON AVE

If this is not your primary residence, please enter it below.

Address N/A

City SUNNYVALE, CA.

Regarding the Nicoli/Sargent condominium project under construction on the 400 block of East Evelyn:

1. What initial height would you like the screening landscaping between the condominiums and the Washington Ave. properties to be? (circle one)

15 ft 20 ft 25 ft 30 ft 35 ft 40 ft other 45' No preference

2. What height would you like the masonry fence between the condominiums and the Washington Ave. properties to be? (circle one)

8 ft 12 ft 15 ft 20 ft 25 ft 30 ft other 35' No preference

3. Have you benefited financially or gained income due to the development or construction of the Nicoli/Sargent condominium project? (circle one) Yes No
If yes, please explain

4. Do you favor or oppose making the 400 block of East Washington Ave. a permit parking block? (circle one)

Favor Oppose Not sure Depends on what happens No preference

Additional comments regarding the development, the developer and/or the City of Sunnyvale.

AFTER WATCHING THIS PROCESS FROM START TO PRESENT, IT SEEMS "VERY UNFORTUNATE" THAT BOTH THE DEVELOPER AND THE CITY OF SUNNYVALE CARE ONLY ABOUT THE ALLMIGHTY DOLLAR, "NOT" THE LIVES & PROPERTIES OF THE

Signature [Signature]

Date 9-11-04

SURROUNDING NEIGHBORHOODS, THEY TELL US THEY CARE..... BUT THEY LIE.

Washington Avenue Residents Survey

Name Lisa Asato

Washington Ave. address 440 E. Washington

If this is not your primary residence, please enter it below.

Address _____

City _____

Regarding the Nicoli/Sargent condominium project under construction on the 400 block of East Evelyn:

1. What initial height would you like the screening landscaping between the condominiums and the Washington Ave. properties to be? (circle one)

15 ft 20 ft 25 ft 30 ft 35 ft 40 ft other _____ No preference

2. What height would you like the masonry fence between the condominiums and the Washington Ave. properties to be? (circle one)

8 ft 12 ft 15 ft 20 ft 25 ft 30 ft other _____ No preference

3. Have you benefited financially or gained income due to the development or construction of the Nicoli/Sargent condominium project? (circle one) Yes No
If yes, please explain

4. Do you favor or oppose making the 400 block of East Washington Ave. a permit parking block? (circle one)

Favor Oppose Not sure Depends on what happens No preference

Additional comments regarding the development, the developer and/or the City of Sunnyvale.

It's a shame that this development was allowed!

Signature Lisa Asato

Date 9/11/04

Washington Avenue Residents SurveyName NOEL DIETZWashington Ave. address 417 E. WASHINGTON

If this is not your primary residence, please enter it below.

Address _____

City _____

Regarding the Nicoli/Sargent condominium project under construction on the 400 block of East Evelyn:

1. What initial height would you like the screening landscaping between the condominiums and the Washington Ave. properties to be? (circle one)

15 ft 20 ft 25 ft 30 ft 35 ft 40 ft other _____ No preference

2. What height would you like the masonry fence between the condominiums and the Washington Ave. properties to be? (circle one)

8 ft 12 ft 15 ft 20 ft 25 ft 30 ft other _____ No preference3. Have you benefited financially or gained income due to the development or construction of the Nicoli/Sargent condominium project? (circle one) Yes No
If yes, please explain

4. Do you favor or oppose making the 400 block of East Washington Ave. a permit parking block? (circle one)

Favor Oppose Not sure Depends on what happens No preference

Additional comments regarding the development, the developer and/or the City of Sunnyvale.

Signature Noel DietzDate 9/11/2004

Washington Avenue Residents Survey

Name STEVE BURKE

Washington Ave. address 451 WASHINGGON

If this is not your primary residence, please enter it below.

Address 480 LINCOLN AVE

City SUNNYVALE

Regarding the Nicoli/Sargent condominium project under construction on the 400 block of East Evelyn:

1. What initial height would you like the screening landscaping between the condominiums and the Washington Ave. properties to be? (circle one)

15 ft 20 ft 25 ft 30 ft 35 ft 40 ft other ___ No preference --- NO PREFERENCE

2. What height would you like the masonry fence between the condominiums and the Washington Ave. properties to be? (circle one)

8 ft 12 ft 15 ft 20 ft 25 ft 30 ft other ___ No preference. THIS DEPENDS. MY STRONGEST PREFERENCE IS TO MAKE THE INTERFACE BETWEEN THE AJJOINING PROPERTIES AS PRIVATE, BUT ATTRACTIVE AS POSSIBLE. TO THIS END, AN INDEPENDENT LANDSCAPE ARCHITECT WOULD BE PREFERRED TO SHOW A DESIGN FOR A PRIVACY SCREEN. THIS MIGHT INVOLVE A WALL, BUT WOULD IDEALLY INCLUDE OTHER ATTRACTIVE FEATURES. MY STRONGEST UNDESIREED FEATURE IS A LARGE, UNATTRACTIVE WALL THAT MAKES ME FEEL LIKE I LIVE IN OR NEAR A BUNKER; A TALL UNFINISHED CONCRETE BLOCK WALL IS NOT ACCEPTABLE.

3. Have you benefited financially or gained income due to the development or construction of the Nicoli/Sargent condominium project? (circle one) Yes No YES
If yes, please explain

MY PROPERTY AT 451 WASHINGTON WAS RENTED FOR TWO MONTHS (MAYBE THREE) AT 500/MONTH.

4. Do you favor or oppose making the 400 block of East Washington Ave. a permit parking block? (circle one)

Favor Oppose Not sure Depends on what happens No preference

WHILE I WOULD NOT OPPOSE PERMIT PARKING, MY PREFERENCE WOULD BE TO ELIMINATE STREET PARKING ALTOGETHER. THE PARKING AT THE END OF THE BLOCK HAS VEHLICES THAT DRIP OIL AND MAKE THE STREET A MESS.

Additional comments regarding the development, the developer and/or the City of Sunnyvale.

Signature STEVE BURKE (PLEASE USE THIS AS ELECTRONIC SIGNATURE)
Date SEPTEMBER 12, 2004

Washington Avenue Residents SurveyName Scarry, Gary and Jana
Washington Ave. address 457

If this is not your primary residence, please enter it below.

Address _____

City _____

Regarding the Nicoli/Sargent condominium project under construction on the 400 block of East Evelyn:

1. What initial height would you like the screening landscaping between the condominiums and the Washington Ave. properties to be? (circle one)

15 ft 20 ft 25 ft 30 ft 35 ft 40 ft other _____ No preference

2. What height would you like the masonry fence between the condominiums and the Washington Ave. properties to be? (circle one)

8 ft 12 ft 15 ft 20 ft 25 ft 30 ft other _____ No preference3. Have you benefited financially or gained income due to the development or construction of the Nicoli/Sargent condominium project? (circle one) Yes No
If yes, please explainN/A (Renters)

4. Do you favor or oppose making the 400 block of East Washington Ave. a permit parking block? (circle one)

Favor Oppose Not sure Depends on what happens No preference

Additional comments regarding the development, the developer and/or the City of Sunnyvale.

Signature [Signature]
Date 10/13/2004